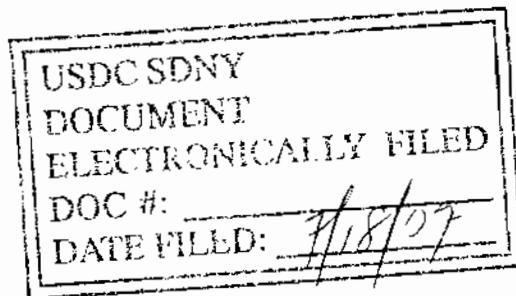


EXHIBIT D

To the Declaration of Slade R. Metcalf

HOGAN &
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July 12, 2007



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By Hand Delivery

The Honorable Loretta A. Preska
United States District Judge
Southern District of New York
United States Courthouse
Room 1320
500 Pearl Street
New York, New York 10007

RECEIVED

LORETTA A. PRESKA
U. S. DISTRICT JUDGE
S. D. N. Y.

Re: *Lemerond v. Twentieth Century Fox Film Corp.*,
Index No. 07 Civ. 4635 (LAP)

Dear Judge Preska:

We represent defendant Twentieth Century Fox Film Corporation ("Fox") in the above-referenced action, which was recently transferred to Your Honor's docket from that of the Honorable William H. Pauley, III. We are writing to request that Your Honor so order the parties' proposed briefing schedule Fox's anticipated motion to dismiss.

Plaintiff Jeffrey Lemerond ("Plaintiff") filed a complaint with this Court on June 1, 2007 under the name "John Doe." Thereafter, on June 26, 2007, before Fox's time to respond to the complaint had expired, Plaintiff filed an amended complaint (the "Complaint") under his full name. Fox is scheduled to respond to the Complaint on or before July 16, 2007.

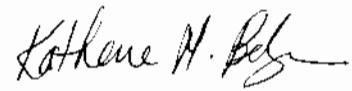
Fox plans to file a motion to dismiss the Complaint in this action pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. After this action was transferred from Judge Pauley to Your Honor on July 9, 2007, counsel for the parties agreed to a briefing schedule regarding Fox's proposed motion to dismiss. The parties agreed, subject to Court approval, that Fox would serve and file its motion to dismiss the Complaint on or before July 23, 2007, Plaintiff would serve and file his opposition on or before August 17, 2007, and Fox would serve and file its reply on or before August 31, 2007. No previous requests for adjournments have been made regarding this action.

The parties respectfully request that Your Honor so order this proposed briefing schedule regarding Fox's motion to dismiss the Complaint.

The Honorable Loretta A. Preska
July 12, 2007
Page 2

Thank you for your consideration.

Respectfully submitted,



Katherine M. Bolger

cc: Richard D. Emery, Esq. (via facsimile)